



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: All Freight Distribution Co., Inc.

File: B-231987

Date: August 31, 1988

DIGEST

Ninth low offeror, on a solicitation under which award was made to the lowest responsible offeror, is not an interested party under General Accounting Office Bid Protest Regulations to protest propriety of award to offeror pending debarment, where protester has not also protested against any possible award to seven intervening offerors.

DECISION

All Freight Distribution Co., Inc. (AFDC), protests an award of a contract to Inter-Continental Equipment, Inc. (ICE), to provide freight containers to the Oakland Naval Supply Center. AFDC contends that ICE, though not formally suspended, was not eligible for contract award because it was pending debarment by the Maritime Administration, Department of Transportation. AFDC also alleges a place-of-performance discrepancy between the contract as awarded and the "original bid."

We dismiss the protest.

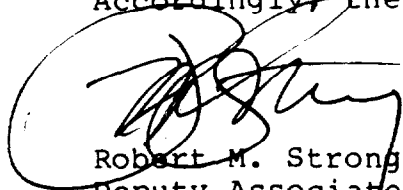
The agency report indicates that AFDC is not the second low offeror and, upon further inquiry by our Office, the Navy explained that AFDC was the ninth low offeror on this solicitation. Since award was made to ICE as the lowest responsible offeror, there are seven intervening offerors who are apparently responsible and have lower prices than AFDC's. However, AFDC has not protested that these offerors are technically unacceptable, nonresponsible or otherwise ineligible for award.

Since AFDC would not be in line for award if its protest were upheld, it is not an interested party under our Bid Protest Regulations to protest that the low offeror was not

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eligible for award. General Electric Co., B-228465,
Nov. 20, 1987, 87-2 CPD ¶ 498.

Accordingly, the protest is dismissed.



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